

August 24, 2020

Hon. Paula Xinis
U.S. District Court for the District of Maryland
6500 Cherrywood Lane, Suite 400
Greenbelt, MD 20770

Re: *CASA v. Wolf*, 8:20-cv-2118-PX
Request for a court conference -TRO

Dear Judge Xinis:

On behalf of Plaintiffs, we write to respectfully request a court conference today, Monday, August 24, to discuss the status of Plaintiffs' requests for emergency and other preliminary relief. On Tuesday, August 25, the Broader EAD Rule goes into effect, changing how the work authorization regulatory system has worked for asylum seekers for decades and inflicting new irreparable harms on Plaintiffs, beyond those they are already experiencing as a consequence of the Timeline Rule going into effect on Friday, August 21. Our prior submissions have explained why this application satisfies the elements for emergency relief, including our strong showing on the merits that Defendant Wolf is not lawfully serving as Acting DHS Secretary.

In light of the looming effective date, Plaintiffs seek a conference to address the following matters:

1. **Status of Plaintiffs' requests for preliminary relief.** Plaintiffs have asked for an emergency 14-day postponement of the rules in the form of a TRO or § 705 relief pending the Court's determination of the preliminary injunction motion, or summary judgment. *See* Supp. Letter, ECF No. 54. Plaintiffs seek a decision on these requests so that they can take all steps available to protect against irreparable harm.
2. **Status of summary judgment.** Defendants' supplemental brief of Friday, August 21, does not present any arguments or material factual disputes that justify delaying summary judgment on Counts 2-4, although it does present some case citations and argument in addition to what had been previously briefed. Plaintiffs therefore request that parties appear for oral argument as scheduled on Friday, August 28, at 1pm to conclude arguments on these counts, with the opportunity for Plaintiffs to submit a three-page letter reply to Defendants' supplemental brief by Wednesday, August 26. In addition, to the extent that the Court believes that it will take longer than 14 days to resolve summary judgment on Counts 2-4, Plaintiffs request that the Court set an expedited schedule for the production of the administrative record so that Plaintiffs can continue to move the case forward on the remaining claims in the meantime.

Plaintiffs are available today for a conference at a time convenient for the Court. Plaintiffs reached out to government counsel yesterday to inquire into availability but have not received a response yet.

Respectfully submitted,

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/s/ Dennise Moreno
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